

NC Youth Employment Laws for Nonfarm Jobs

NC law adopts the federal employment standards for 14- and 15-year-old youths and 16- and 17-year-old youths employed in nonfarm jobs, as well as the exceptions to those limitations. Thus, nonfarm businesses not covered by the FLSA must nevertheless comply with the same limitations on the employment of youth that apply to FLSA covered businesses. Farm work is completely exempt from any regulation under NC youth employment laws.

In addition, the following requirements of NC youth employment law apply to all nonfarm businesses in this state, whether or not they are covered by the child labor provisions of the FLSA:

YOUTH EMPLOYMENT CERTIFICATE

An employer may not employ any youth under 18 years of age until that youth has obtained a youth employment certificate. Such certificates are issued by the local county department of social services or its designees either in the county where the youth will work or in the county where the youth resides. In some counties, certain school personnel may have been designated to issue these certificates. Each certificate issued is reviewed by the NC Wage and Hour Division and may be revoked if found to have been issued for a job not permitted by state or federal law. Such a revocation may be appealed by filing a petition for a hearing with the Office of Administrative Hearings pursuant to the procedures contained in Article 3 of Chapter 150B of the General Statutes.

LATE NIGHT WORK LIMITATIONS

During the regular school term, no youth under 18 years of age who is enrolled in grade 12 or lower may be employed between 11 p.m. and 5 a.m. where there is school for the youth the next day. This restriction does not apply to youths 16 and 17 years of age if the employer receives written approval for the youth to work beyond the stated hours from the youth's parent or guardian and from the youth's principal or the principal's designee.

DETRIMENTAL OCCUPATION LIMITATIONS

In addition to the 17 hazardous occupations prohibited to youths under 18 years of age by federal law, the NC Commissioner of Labor has adopted regulations identifying six detrimental occupations in which youths under 18 may not be employed:

1. Welding
2. Any process where quartz or any other form of silicon dioxide or an asbestos silicate is present in powdered form
3. Any work involving exposure to lead or any of its compounds in any form
4. At any work involving exposure to benzol or any benzol compound which is volatile or which can penetrate the skin